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Attorneys for Defendant
TRIVASCULAR, INC.

12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**
14 **SAN FRANCISCO DIVISION**

15 DR. SHAUN L.W. SAMUELS,

16 Plaintiff,

17 vs.

18 TRIVASCULAR, INC.,

19 Defendant.

20 _____
21 TRIVASCULAR, INC.,

22 Counter-Claimant,

23 vs.

24 DR. SHAUN L. W. SAMUELS,

25 Counter-Defendant.

Case No. 3:13-CV-02261-EMC

16 **STIPULATION AND [PROPOSED]**
ORDER SELECTING ADR PROCESS

26 Counsel report that they have met and conferred regarding ADR and have reached the
27 following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

28 The parties agree to participate in the following ADR process:

1 **Court Processes:**

- 2 Non-binding Arbitration (ADR L.R. 4)
3 Early Neutral Evaluation (ENE) (ADR L.R. 5)
4 Mediation (ADR L.R. 6)

5 *(Note: Parties who believe that an early settlement conference with a Magistrate Judge is
6 appreciably more likely to meet their needs than any other form of ADR must participate in an ADR
7 phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone
8 Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)*

9 **Private Process:**

10 XX Private ADR (*Please identify process and provider*) **The parties have agreed to use
11 a mediator from the private ADR firm of JAMS and will follow the process suggested by the
12 JAMS mediator. The parties have agreed to use either (1) Hon. James Ware (Ret. – N.D. Cal.),
13 or (2) Hon. Dickran M. Tevrizian (Ret. – C.D. Cal.)**

14 The parties agree to hold the ADR session by:

15 XX the presumptive deadline (*The deadline is 90 days from the date of the order
16 referring the case to an ADR process unless otherwise ordered.*)

- 17 other requested deadline _____
-

18 DATED: February 17, 2015

19 _____
20 /s/ Arthur S. Feldman
21 Arthur S. Feldman
22 Attorney for Plaintiff,
23 DR. SHAUN L.W. SAMUELS

24 DATED: February 17, 2015

25 _____
26 /s/ Marc H. Cohen
27 Attorneys for Defendant,
28 TRIVASCULAR, INC.

1
[PROPOSED] ORDER

- 2 The parties' stipulation is adopted and IT IS SO ORDERED.
3 The parties' stipulation is modified as follows, and IT IS SO ORDERED.

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13 DATED: 2/23/15



1 **CERTIFICATE OF SERVICE**

2 I HEREBY CERTIFY that on February 17, 2015 that a copy of the foregoing document is
3 being electronically filed with the Clerk of the United States District Court for the Northern District
4 of California by using the CM/ECF system, which will send notice of such filing to all counsel of
record.

5 DATED: February 17, 2015

/s/ Marc H. Cohen

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